

IN RE: PETITION FOR ZONING VARIANCE
NW/S Intersection of Pulaski Hwy.
and Ramp of Martin Boulevard
(9000 Pulaski Highway)
15th Election District
6th Councilmanic District
Martins, Inc. -
Petitioners

* BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 91-276-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit 326 parking spaces in lieu of the required 597 spaces; to permit approximately 32 spaces to be closer than the permitted 10 feet to the right-of-way line of a public street; and to permit 17 spaces without direct access to an aisle for employee use only, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Martin and Wayne Resnick, appeared, testified, and were represented by Julius W. Lichter, Esquire. Also appearing on behalf of the Petition were Joseph Larson, of Spellman, Larson, Inc., and Wes Guckert, of The Traffic Group. There were no Protestants.

Testimony indicated that the subject property, known as 9000 Pulaski Highway, consists of 5.14 acres zoned B.R.-I.M. and M.L.-I.M. and is the site of Martin's Eastwind as depicted on Petitioner's Exhibit 1. Petitioners purchased the property in 1981 at which time the property was already developed as a catering establishment. Petitioners recently applied for permits to expand the existing facility for additional kitchen and refrigeration space and were advised that the subject site did not comply with parking requirements. In an effort to bring the property into compliance with current parking regulations, the instant Petition was filed. Martin Resnick testified that in the process of pursuing this

matter, the Petitioners re-stripped and paved the parking lot which resulted in there being more parking spaces than when they first acquired the property. He indicated the current 326 parking spaces have proven to be sufficient. Mr. Resnick testified that only on a limited number of occasions in any given year are all parking spaces used and overflow is needed. At that time arrangements are made for the additional parking spaces on the adjoining bowling alley lot and/or valet parking. Testimony indicated that at no time has the parking situation created a traffic or safety problem. In response to the request made by the Office of Planning that the handicapped parking spaces on the east side of the building be moved from the loading area, Mr. Resnick testified that in his experience, the proposed site is preferable due to its access to the handicapped ramp. Testimony indicated that the use of these spaces has never interfered with operations at the truck loading area. Mr. Resnick indicated that seldom, if ever, has the truck loading area been in use at the time of social functions. Petitioners agreed to meet with the Office of Planning regarding landscaping along Pulaski Highway.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 2 -

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of February, 1991 that the Petition for Zoning Variance to permit 326 parking spaces in lieu of the required 597 spaces; to permit approximately 32 spaces to be closer than the permitted 10 feet to the right-of-way line of a public street; and to permit 17 spaces without direct access to an aisle for employee use only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit a landscaping plan which enhances the property along Pulaski Highway for approval by the

- 3 -

Deputy Director of Planning. While said landscaping will be located within the right-of-way area, it shall be maintained at all times by Petitioners. A copy of the approved landscaping plan shall be attached to the permit application.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

- 4 -

ORDER RECEIVED FOR FILING
Date 2/28/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 2/28/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 2/28/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 2/28/91
By [Signature]

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-276-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.6 - Required Number of Parking Spaces, to permit a total number of 326 parking spaces in lieu of the required 597 parking spaces; Section 409.8.A.1 to permit approximately 32 spaces to be closer than the required 10' to the R.O.W. line of a public street as shown on the attached plat; Section 409.4.B to allow 17 spaces without direct access to an aisle for employee use only; to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

(See attached)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Martin's, Inc.
Signature	(Type or Print Name)
Address	BY: <u>[Signature]</u>
City and State	Signature
Attorney for Petitioner:	6817 Dogwood Road 265-1300
Julius W. Lichter and	Address
Levin, Conn. & Hankin, P.A.	Baltimore, MD 21207-2603
(Type or Print Name)	City and State
Signature	Signature
Suite 113, 305 W. Chesapeake Ave.	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address	Julius W. Lichter
Towson, MD 21204	Suite 113, 305 W. Chesapeake Ave.
City and State	Towson, MD 21204 321-0600
Attorney's Telephone No.: 321-0600	Address

ORDERED By The Zoning Commissioner of Baltimore County, this 12 day

of Dec 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25 day of Feb, 1991, at 10 o'clock

County, on the 25 day of Feb, 1991, at 10 o'clock

By [Signature] 45
Zoning Commissioner of Baltimore County

RECORDED BY: CAN DATE: 2/28/91 FILE NO: 91-276-A

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 28, 1991

Julius W. Lichter, Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/S Intersection of Pulaski Highway and Ramp of Martin Boulevard
(9000 Pulaski Highway)
15th Election District - 6th Councilmanic District
Martins, Inc. - Petitioners
Case No. 91-276-A

Dear Mr. Lichter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: People's Counsel

File



SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. APPEL

DESCRIPTION FOR A VARIANCE FOR PARKING NORTHWEST SIDE OF PULASKI HIGHWAY AND THE NORTH SIDE OF A RAMP LEADING FROM MARTIN BOULEVARD TO PULASKI HIGHWAY, 15TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point on the Northwest side of Pulaski Highway (U.S. Route No. 40) and the North side of a ramp leading from Martin Boulevard to Pulaski Highway and running thence on the North side of said ramp North 50 Degrees 57 Minutes 47 Seconds West 21.54 feet and Westerly by a curve to the left with a radius of 316.48 feet the distance of 452.00 feet, (the chord of the arc bears South 88 Degrees 14 Minutes 58 Seconds West 414.55 feet) thence leaving the North side of said ramp and running North 43 Degrees 56 Minutes 31 Seconds West 9.53 feet to intersect the South right-of-way line of the Baltimore and Ohio Railroad then binding on said right-of-way line North 47 Degrees 23 Minutes 10 Seconds East 954.29 feet thence leaving said right-of-way and running South 42 Degrees 37 Minutes 47 Seconds East 319.81 feet to the Northwest side of Pulaski Highway first herein referred to and running thence and binding thereon

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION



SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. APPEL

DESCRIPTION FOR A VARIANCE FOR PARKING NORTHWEST SIDE OF PULASKI HIGHWAY AND THE NORTH SIDE OF A RAMP LEADING FROM MARTIN BLVD TO PULASKI HIGHWAY, 15TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page: 2
South 47 Degrees 22 Minutes 13 Seconds West 396.32 feet North 42 Degrees 37 Minutes 47 Seconds West 23.00 feet South 47 Degrees 22 Minutes 13 Seconds West 40.00 feet South 42 Degrees 37 Minutes 47 Seconds West 23.00 feet South 47 Degrees 22 Minutes 13 Seconds West 151.28 feet North 42 Degrees 37 Minutes 47 Seconds West 25.00 feet and South 47 Degrees 22 Minutes 13 Seconds West 43.31 feet to the place of beginning.

Containing 5.14 acres of land, more or less.

10/31/90



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

ATTACHMENT TO PETITION FOR ZONING VARIANCE

That there are unique physical conditions, including irregularity of lot and shape and exceptional topographical and other physical conditions peculiar to and inherent to the property as it is currently developed and utilized for a catering facility. As a result of such unique physical conditions and in light of the existing catering facility, practical difficulties or unnecessary hardships arise in complying strictly with the aforesaid provisions of these regulations.

91-276-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 7/4/91
 Posted for: Martin's Inc.
 Petitioner: Martin's Inc.
 Location of property: 9000 Pulaski Highway, Towson, Maryland
 Location of Sign: Along Pulaski Highway, across 20' from property of Baltimore County
 Remarks: See attached
 Posted by: [Signature] Date of return: 7/8/91
 Number of Signs: 1

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed zoning variance in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:
 Case number: 91-276-A
 NW Intersection of Pulaski Highway and ramp of Martin Boulevard
 9000 Pulaski Highway
 15th Election District
 6th Councilmanic District
 Petitioner(s): Martin's Inc.
 Hearing Date: Monday, Feb. 25, 1991 at 10:00 a.m.
 Variance: to permit a total number of 326 parking spaces in lieu of the required 597 parking spaces; to permit approximately 32 spaces to be closer than the required 10 ft. to the right-of-way line of a public street; and to allow 17 spaces without direct access to an aisle for employee use only.
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 11/10/91 Jan. 31

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1-31 successive weeks, the first publication appearing on 1-31, 1991.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlan
 Publisher

\$75.18

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 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed zoning variance in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:
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 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 11/10/91 Jan. 31

CERTIFICATE OF PUBLICATION

TOWSON, MD. 2-6, 1991
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1-31 successive weeks, the first publication appearing on 1-31, 1991.

THE JEFFERSONIAN,

S. Zeke Orlan
 Publisher

\$75.18

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number: 3914

receipt

Date: 1/15/91 H910011

PUBLIC HEARING FEES	QTY	PRICE
150 - SPECIAL EXCEPTION	1 X	\$175.00
TOTAL:		\$175.00

LAST NAME OF OWNER: MARTIN'S, INC.

04AD40030MCHRC
 BA C003+44M11-14-90 \$175.00

Cashier Validation: Please make checks payable to: Baltimore County NEXT BUSINESS DAY

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number: 91-276-A

receipt

Date: 2/15/91 H9100228

PUBLIC HEARING FEES	QTY	PRICE
150 - SPECIAL EXCEPTION	1 X	\$100.18
TOTAL:		\$100.18

LAST NAME OF OWNER: MARTIN'S, INC.

04AD40030MCHRC
 BA C003+44M11-14-90 \$100.18

Cashier Validation: Please Make Checks Payable To: Baltimore County 2/15/91 10:25-91

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

DATE: 2/12/91

Martin's Inc.
 6817 Dogwood Road
 Baltimore, Maryland 21207-2608

RE:

Case Number: 91-276-A
 NW Intersection of Pulaski Highway and ramp of Martin Boulevard
 9000 Pulaski Highway
 15th Election District - 6th Councilmanic
 Petitioner(s): Martin's Inc.
 HEARING: MONDAY, FEBRUARY 25, 1991 at 10:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 100.18 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 West Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES
 ZONING COMMISSIONER
 BALTIMORE COUNTY, MARYLAND

cc: Julius W. Lichter

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

January 18, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-276-A
 NW Intersection of Pulaski Highway and ramp of Martin Boulevard
 9000 Pulaski Highway
 15th Election District - 6th Councilmanic
 Petitioner(s): Martin's Inc.
 HEARING: MONDAY, FEBRUARY 25, 1991 at 10:00 a.m.

Variance: to permit a total number of 326 parking spaces in lieu of the required 597 parking spaces; to permit approximately 32 spaces to be closer than the required 10 ft. to the right-of-way line of a public street; and to allow 17 spaces without direct access to an aisle for employee use only.

J. Robert Haines

J. ROBERT HAINES
 Zoning Commissioner of Baltimore County

cc: Martin's Inc.
 Julius W. Lichter, Esq.

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

February 11, 1991

Julius W. Lichter, Esquire
 Levin, Gann & Hankin, P.A.
 Suite 113, 305 W. Chesapeake Ave
 Towson, MD 21204

RE: Item No. 211, Case No. 91-276-A
 Petitioner: Martin's Inc., et al
 Petition for Zoning Variance

Dear Mr. Lichter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
 Chairman
 Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Martin Resnik
 Martin's, Inc.
 6817 Dogwood Road
 Baltimore, MD 21207

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 12th day of December, 1990.

J. Robert Haines

J. ROBERT HAINES
 ZONING COMMISSIONER

Received By:

James E. Dyer
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Martin's Inc., et al
 Petitioner's Attorney: Julius W. Lichter



Maryland Department of Transportation
 State Highway Administration

Richard H. Trainor
 Secretary
 Hal Kassoff
 Administrator

December 3, 1990

Mr. J. Robert Haines
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204
 Attn: Mr. James Dyer

Re: Baltimore County
 Martins, Incorporated
 Zoning meeting 12/4/90
 NIS Pulaski Highway
 US 40-E
 and ramp of Martin Boulevard
 Item # 211

Dear Mr. Haines:

We have reviewed the submitted for a variance to permit a total number of 326 parking spaces in lieu of the required 597 parking spaces and have no objection to the variance since the majority of this development is existing. We also recommend that every effort be made to provide any additional spaces where practical.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

John Contestabile, Chief
 Engineering Access Permits
 Division

LB/es

cc: Mr. J. Ogle
 Spellman, Larson and Associates Inc.

received
 12/11/90

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
 383-7555 Baltimore Metro - 845-0451 D.C. Metro - 1-800-482-0183 Statewide Toll Free
 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 1, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Martin's, Inc., Item No. 211

The petitioner requests a variance to permit a total number of 326 parking spaces in lieu of the required 597 parking spaces, and to permit approximately 32 spaces to be closer than the required 10 ft. to the R.O.W. line of a public street; and to allow 17 spaces without direct access to an aisle for employee use only.

In reference to the petitioner's request, staff offers the following comments:

- Staff supports the petitioner's request since the expansion of the existing facility does not generate the need for additional parking. However, the absence of landscaping and the present location of three (3) of the handicapped parking spaces raise concerns.

Should the petitioner's request be granted, staff recommends the following:

- The petitioner shall submit a landscape plan to the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits. Said plan shall include an enhanced treatment along Pulaski Highway. The Master Plan states that "Pulaski Highway has evolved a character quite different from the attractive cross-country motorway originally envisioned." Any redevelopment of properties along Pulaski Highway should provide "intensive landscaping" to upgrade the quality of development along Pulaski Highway.
- The three (3) handicapped parking spaces located east of the existing building are of concern to staff due to the proximity of a loading area. Therefore, this office suggests that these spaces be relocated either close to the existing handicapped spaces or by the spaces adjacent to the building and canopy.

received
2/5/91

Martin's, Inc., Item No. 211
Page 2
February 1, 1991

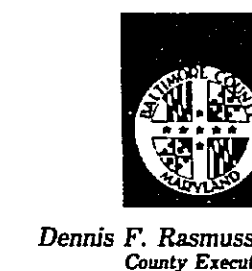
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM211/ZAC1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

November 28, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204



Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 187, 200, 203, 204, 206, 208, 210, 211, and 212.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/3/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
November 30, 1990

received
12/4/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 211
PROPERTY OWNER: Martin's Inc.
LOCATION: NW intersection of Pulaski Hwy & ramp of Martin Blvd. (39000 Pulaski Hwy)
SECTION DISTRICT: 15th
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- (X) PROPOSED SITE PLAN ~~DOES~~ DOES NOT COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION (X) RAMPS (degree slope)
- () NUMBER PARKING SPACES (X) CURB CUTS
- (X) BUILDING ACCESS (X) SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER: New construction shall not put the existing structure in violation of Buildings Code height, area & type of construction classification. See Section 401.0, 501.1, Table 501, Section 502.0, 503 and Section 1002.4.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

11/28/90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 211, Zoning Advisory Committee Meeting of December 4, 1990

Property Owner: Martin's Inc. District: 15

Location: 9000 Pulaski Highway

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chabroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, center or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been , must be conducted.
- () The results are valid until .
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until .
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

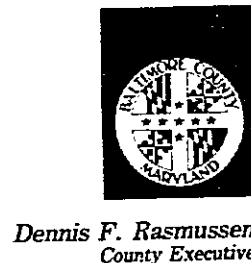
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11/21/90

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reinecke
Chief

NOVEMBER 28, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MARTIN'S, INC.

Location: #9000 PULASKI HIGHWAY

Item No.: 211 Zoning Agenda: DECEMBER 4, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 8 AND 9

REVIEWER: Paul H. Reinecke Noted and
Paul H. Reinecke Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/21/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 27, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for December 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 200, 206, 208, 210 and 211.

For Items 187 and 212, the previous County Review Group Comments are still applicable.

For Item 203, the correct plot reference in Plat Book 9, Folio 4. Also, the east and west property line dimensions appear to be reversed.

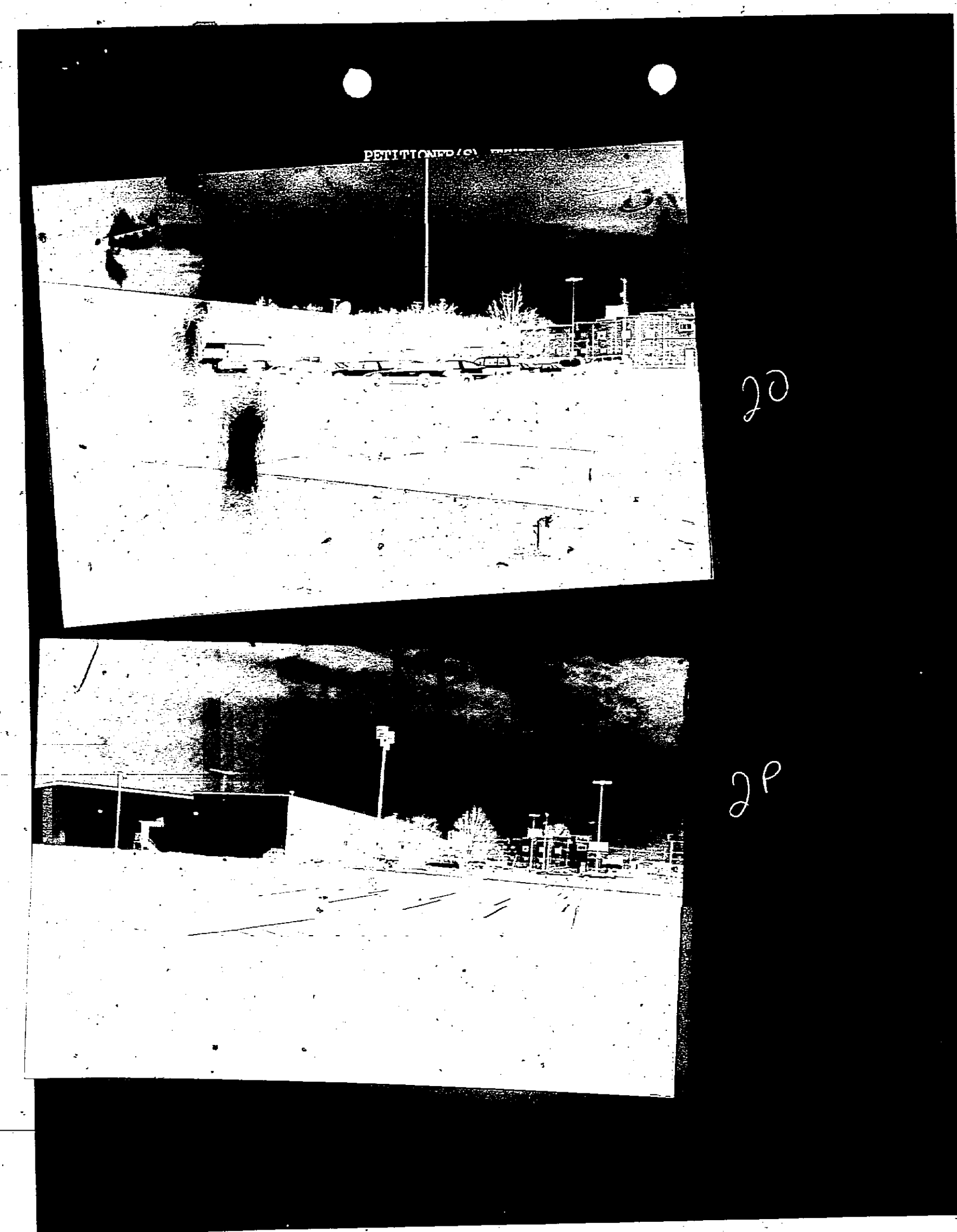
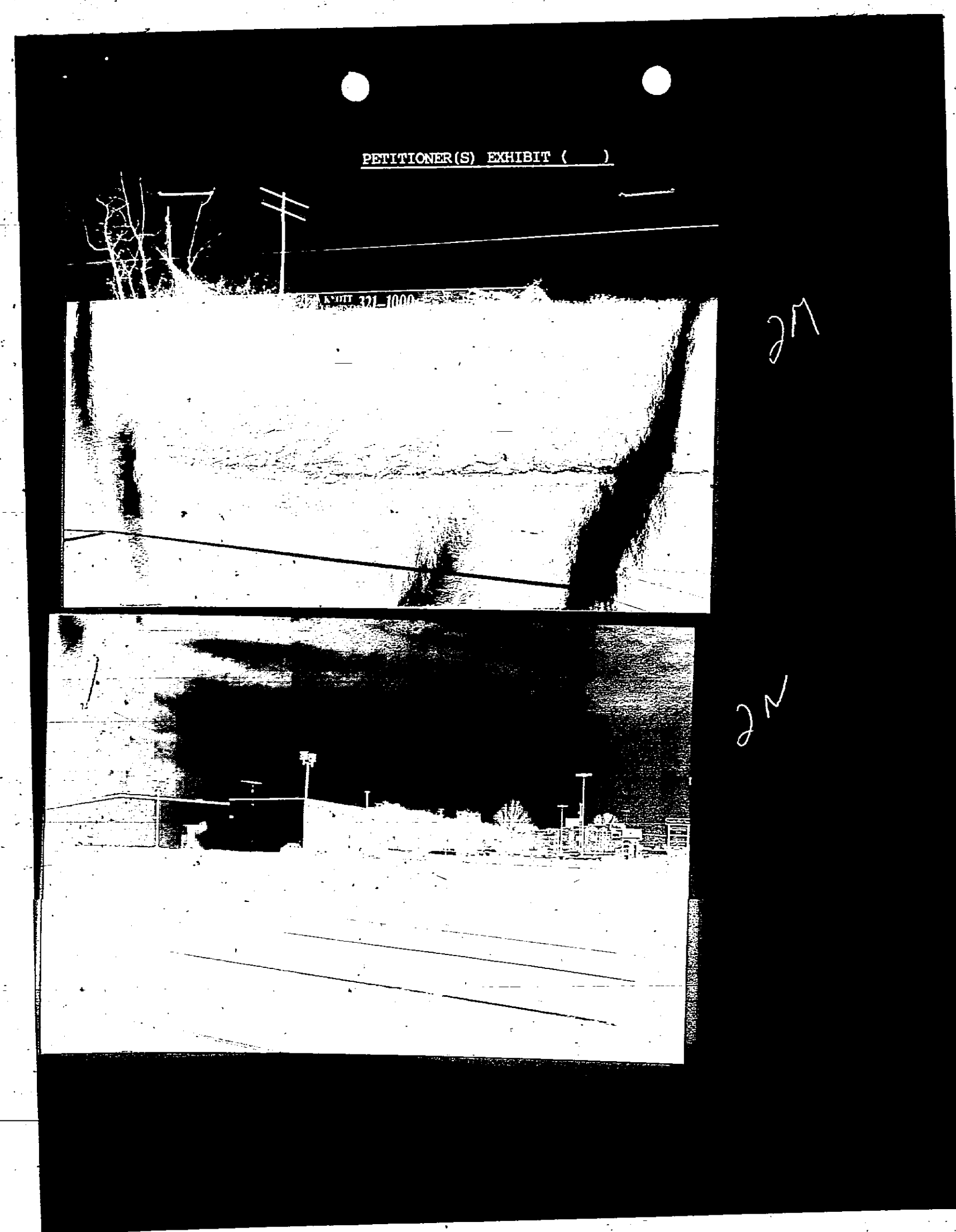
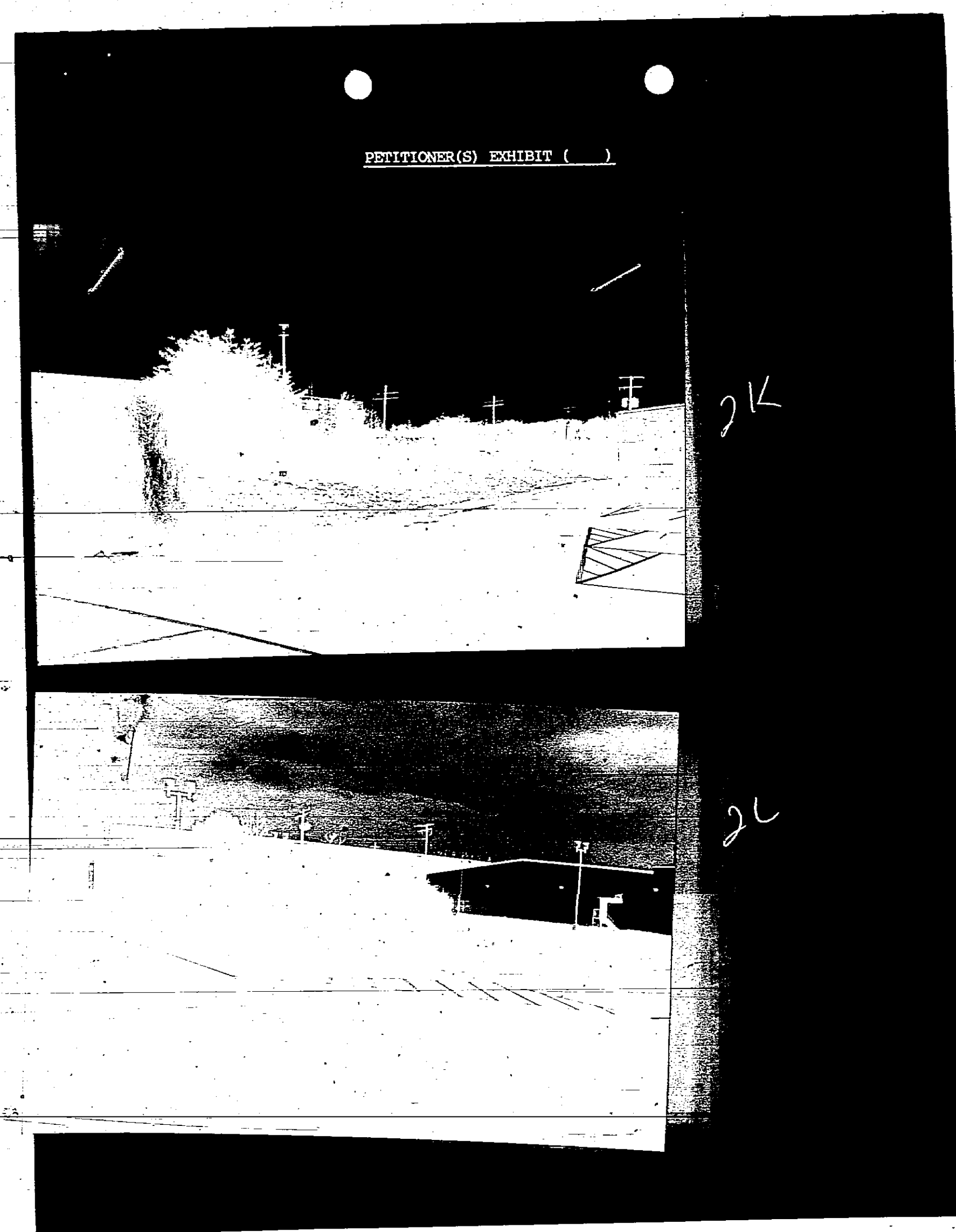
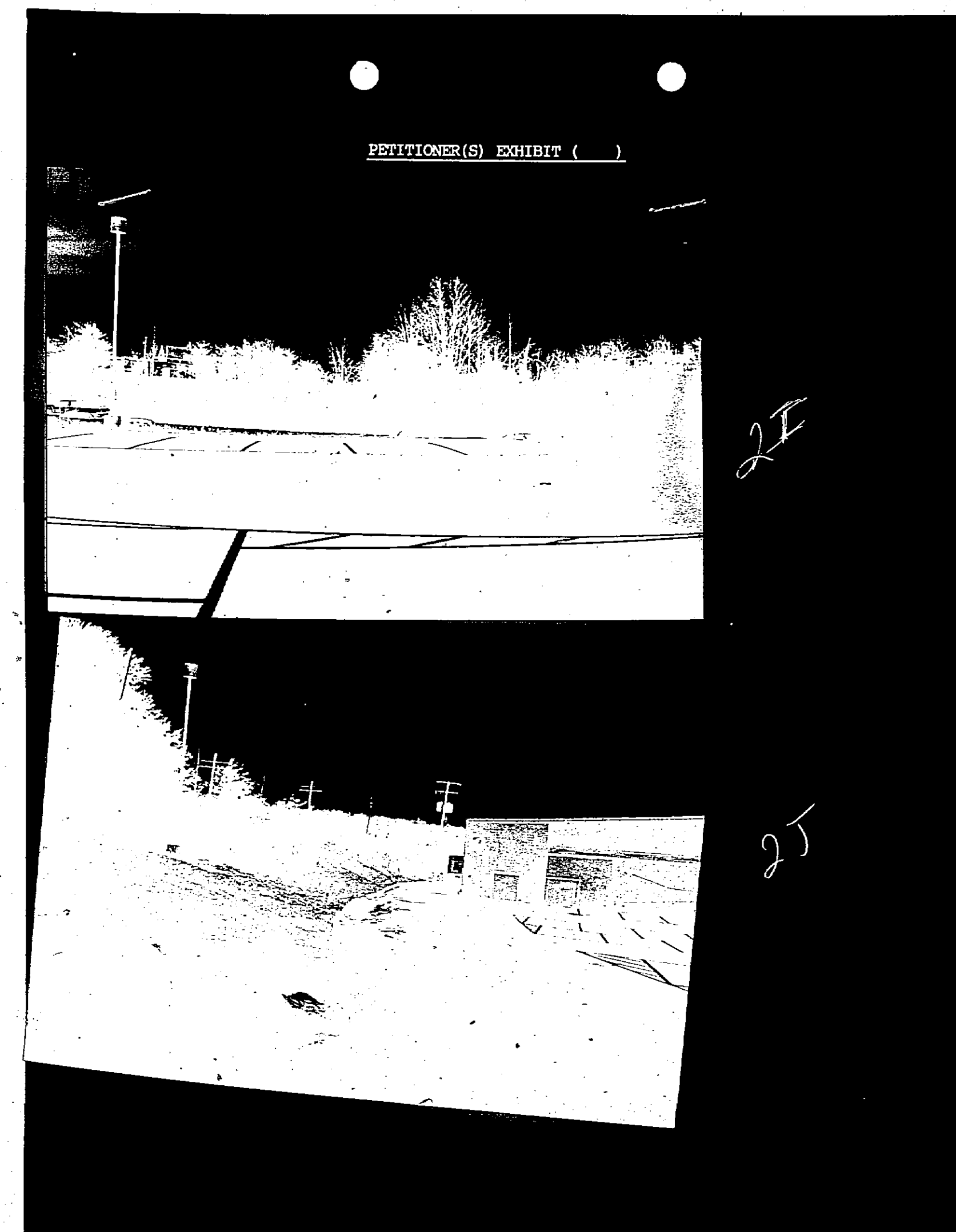
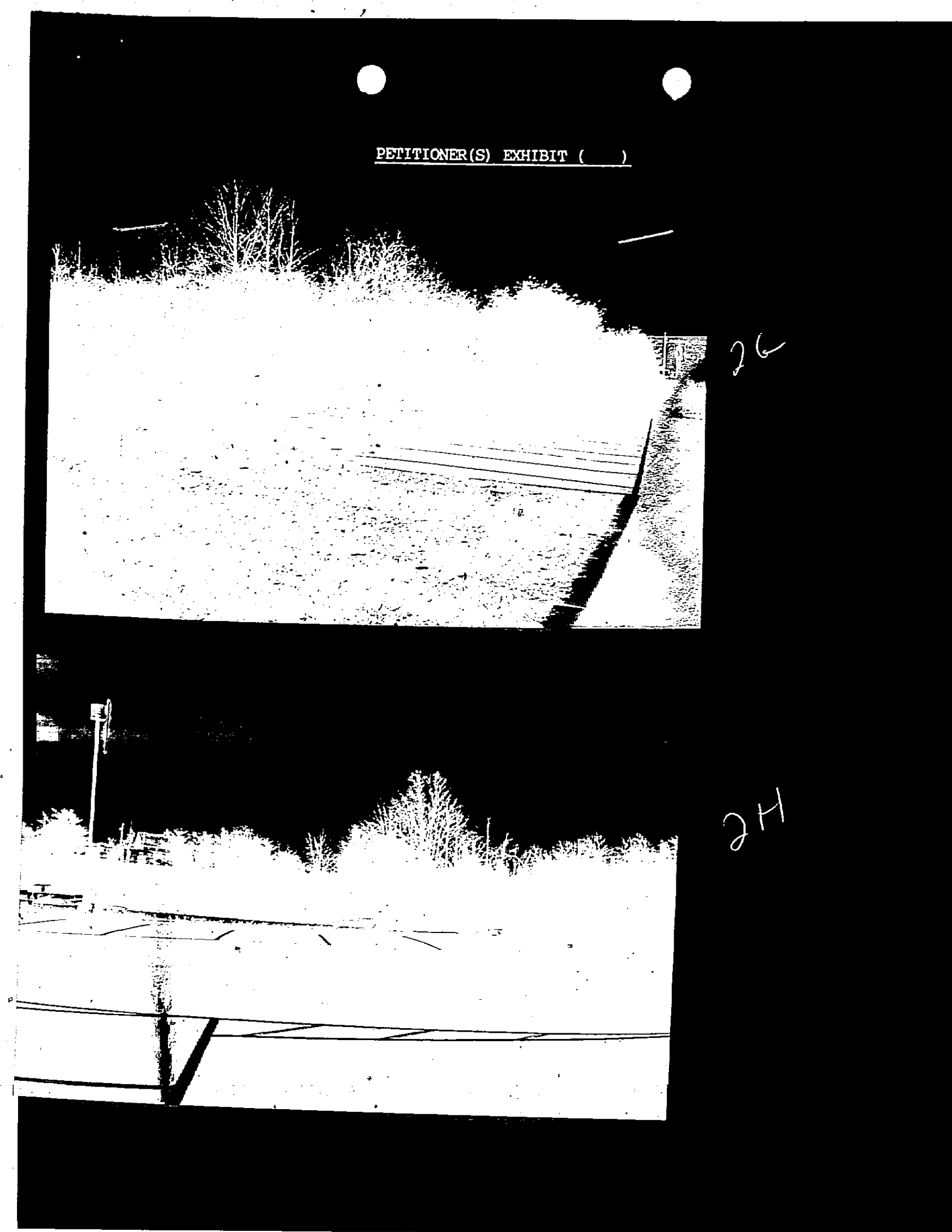
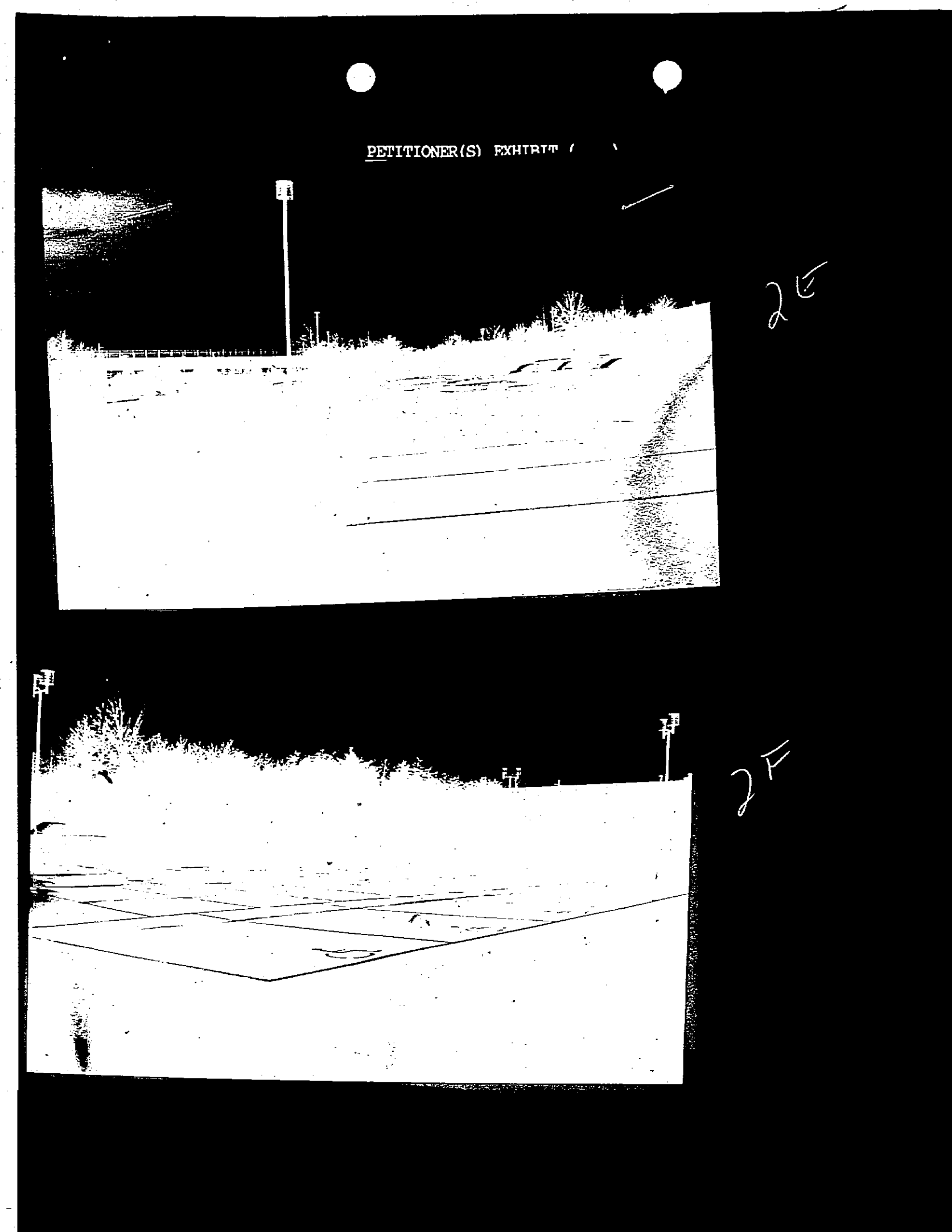
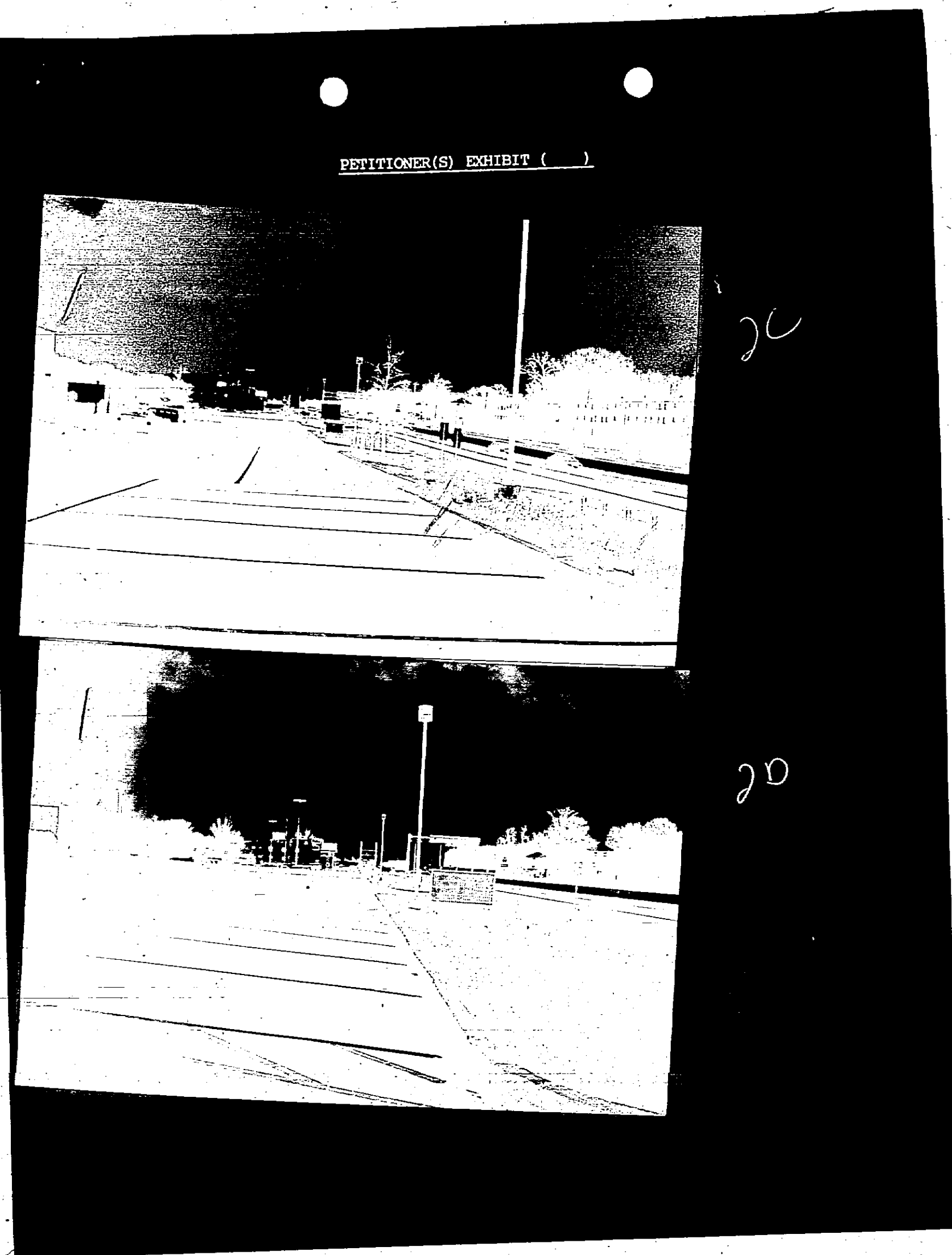
For Item 204, the site must be submitted through the minor subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

PETITIONER(S) EXHIBIT ()





SITE DATA

SITE AREA: 5.14 AC. 1
 SITE 2: 0.05 AC. 1
 TOTAL SITE AREA: 5.14 AC. 1

EXISTING ZONING: BR-IM 4 ML-IM

COUNCILMANIC DISTRICT: 6

EXISTING USE: CATERING FACILITY & OFFICES
 PROPOSED USE: CATERING FACILITY & OFFICES

PARKING CALCULATIONS:
 CATERING FACILITY: 27,990 SF ÷ 213 × 20 = 947 RS.
 OFFICES (2nd story): 3,014 SF ÷ 304 × 33 = 10
 BUILDING ADDITIONS: 1,919 SF ÷ 1919 × 20 = 40
 TOTAL PARKING REQUIRED = 997 PARKING SPACES
 (INCLUDING 11 HANDICAP SPACES)
 TOTAL PARKING PROVIDED = 926 PARKING SPACES
 (INCLUDING 9 HANDICAP SPACES)
 (INCLUDING 17 EMPLOYEE SPACES)

TYPICAL PARKING & DRIVE DIMENSIONS

SCALE: 1" = 20'

TRAFFIC NOTES:

THE TRAFFIC DIVISION HAS REVIEWED THE PARKING AND DRIVEWAY CONFIGURATION AT THE WESTERNMOST ENTRANCE WITH REGARD TO SECTION 600.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS AND HAS APPROVED THE LAYOUT AS IT EXISTS. APPROVAL WAS ISSUED BY GAVIN FAMILI 11-15-90.



91-276-A

SPELLMAN, LARSON & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204
 PHONE: 823-3535

MARTINS INC.
 7000 SECURITY BLVD, SUITE 316
 BALTIMORE, MD 21207

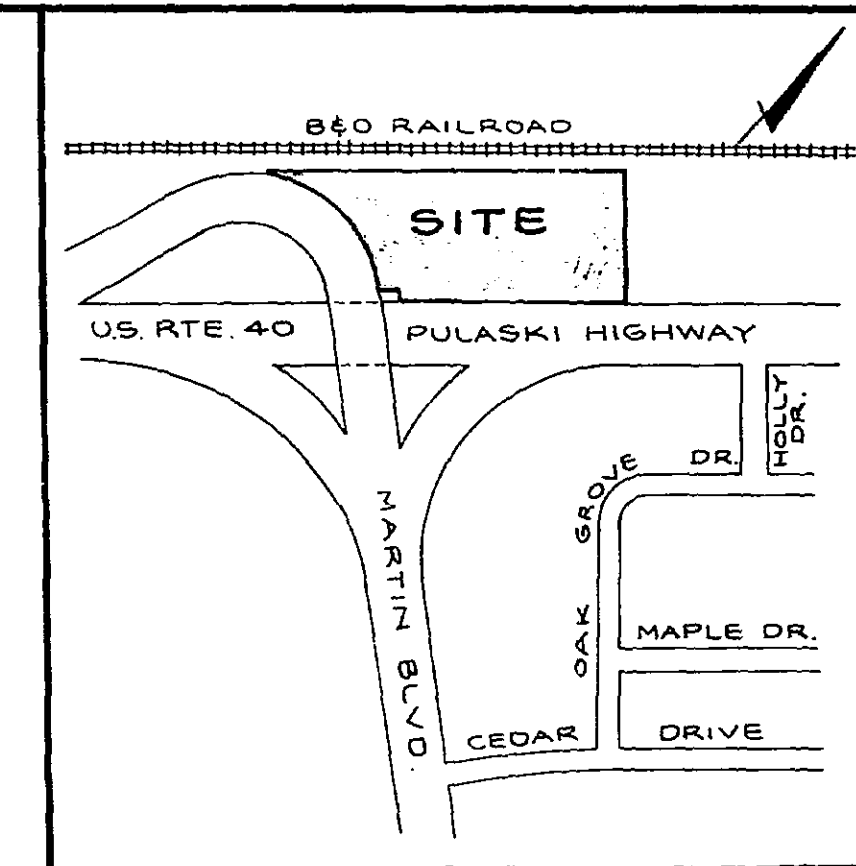
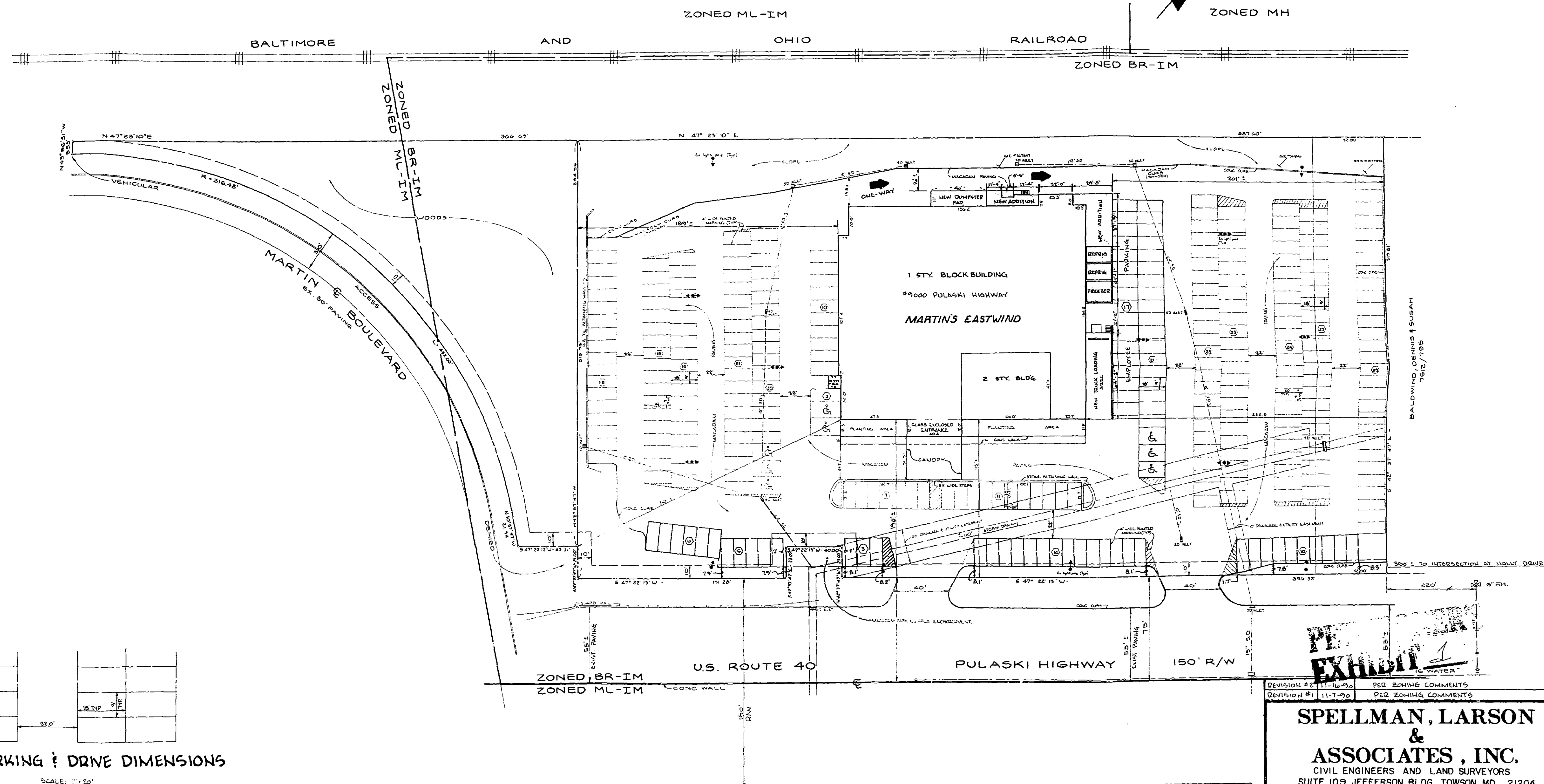
PLAT TO ACCOMPANY ZONING PETITION FOR PARKING VARIANCE

MARTINS EASTWIND
 9000 PULASKI HIGHWAY

15TH ELECTION DISTRICT BALTO. CO. MD

SCALE: 1" = 40' DES. BY: N/A SHT. 1 OF 1
 DATE: 9-19-90 DRN BY: MCG/WDG

82037



LOCATION MAP
 SCALE: 1" = 500'